

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ADAM WAINBERG,
Plaintiff,

v.

DIETZ & WATSON, INC.
Defendant.

CIVIL ACTION

NO. 17-2457

ORDER

AND NOW, this 28th day of November, 2017, upon consideration of defendant Dietz & Watson, Inc.'s Motion to Dismiss Plaintiff's First Amended Complaint (Doc. No. 12) and plaintiff's Memorandum of Law in Opposition to Defendant's Motion to Dismiss Plaintiff's First Amended Complaint (Doc. No. 13), for the reasons stated in the accompanying Memorandum dated November 28, 2017, **IT IS ORDERED** that defendant's Motion to Dismiss Plaintiff's First Amended Complaint is **DENIED**.

IT IS FURTHER ORDERED that a preliminary pretrial conference will be scheduled in due course.

BY THE COURT:

/s/ **Hon. Jan E. DuBois**

DuBOIS, JAN E., J.